

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: NOVEMBER 10, 2003

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #4 — LAFCO 2900: Service Review and Sphere Of Influence Expansion for the West Valley Mosquito and Vector Control District

INITIATED BY:

San Bernardino Local Agency Formation Commission and the Board of Trustees for the West Valley Mosquito and Vector Control District

RECOMMENDATION:

1. Determine that LAFCO 2900 is statutorily exempt from environmental review, and direct the Clerk to file a Notice of Exemption within five days;
2. Make the findings related to a service review required by Government Code Section 56430 and the factors of consideration required by Government Code Section 56425;
3. Approve LAFCO 2900 sphere of influence expansion for the West Valley Mosquito and Vector Control District as submitted by the District and determine that the balance of the District's sphere of influence will be affirmed as presently configured;
4. Adopt LAFCO Resolution #2792 setting forth the Commission's findings and determinations on this issue.

BACKGROUND INFORMATION:

This proposal was originally initiated by the Local Agency Formation Commission in January 2002 in response to state mandates requiring service

reviews and sphere of influence updates for all cities and special districts on a rotating five-year schedule. However, following Commission initiation of the sphere of influence update and service review, the West Valley Mosquito and Vector Control District (WVMVCD) determined that a sphere of influence amendment was necessary to allow for the recognition of the District's actual service boundaries and requested a deferral of their consideration.

Over the next several months, the District worked with the Cities of Montclair, Ontario, Rancho Cucamonga, and Upland and the County Vector Control Program regarding concerns and issues in reference to an expansion of their sphere. Attachment #1 to this report is a map which identifies the boundaries and sphere of influence expansion request for WVMVCD and its relationship to the underlying City boundaries.

At the Commission's hearing in March 2003, representatives of the County's Vector Control Division came forward with their concern and opposition to the inclusion of the City of Upland within the sphere of influence of the WVMVCD. At that hearing, the Commission requested that the staff return with information not only addressing the WVMVCD, but also the provision of vector control services County-wide and verification of whether or not the County operation was a "district" as recognized by statute and LAFCO.

OUTLINE OF MOSQUITO/VECTOR CONTROL SERVICES:

Attachment #2 to this report is a general outline of what a Mosquito and Vector Control District is and the services it can perform under its principal act. Mosquito and vector control services are provided within the County by one of two methods:

1. The County Public Health Department, Environmental Health Services Division, operates the County Vector Control Program to "provide the same services and exercise the powers of a Vector Control District" to those areas not currently served by the West Valley Mosquito and Vector Control District. This operation is not a "district" as recognized by LAFCO or the statutes of the principal act governing a Mosquito and Vector Control District. It is a service offered through the County operating under the provisions of the Mosquito and Vector Control District principal act.
2. West Valley Mosquito and Vector Control District provides their services to residents in a 123 square mile area which includes the cities of Chino, Chino Hills, the southern parts of Montclair and Ontario. In addition, the District provides its service through a contractual relationship for the

balance of the cities of Montclair and Ontario, and the area of the City of Rancho Cucamonga and to other public entities requesting supplemental service.

Mosquito and Vector Control District Law was updated and amended in the 2002 session of the Legislature. SB 1588 rewrote this principal act which defines a “vector” to mean “any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, mites, ticks, other arthropods, and rodents and other vertebrates.” Each of the service providers identified above provides a full range of vector control services to their respective residents, depending on the funding resources.

The County Vector Control program is funded through benefit assessments on the developed parcels within the unincorporated area and the contracting cities of Colton, Fontana, Grand Terrace, Highland, Loma Linda, Needles, Redlands, Rialto, San Bernardino, Upland, and Yucaipa as originally outlined in County Ordinance 3549, amended by County Ordinance No. 3672. Ordinance No. 3672 also specifies that the area of the City of Ontario, not a part of WVMVCD, was to be included within the area served through a contracted level of service, not a benefit assessment. The benefit assessment rates for the Cities as identified as the “valley floor cities” exclude the areas within the West Valley Vector Control District. The rates within the County are:

TYPE OF PROPERTY	RATE
CITIES (includes valley floor cities of Colton, Fontana, Grand Terrace, Highland, Loma Linda, Redlands, Rialto, San Bernardino, Upland, and Yucaipa):	
Vacant – Assessable parcels	\$1.00
Residential	
Single Family Dwelling	\$5.32
5-14 units	\$5.32
15-80 units	\$7.64
81 units and over	\$9.96
Commercial – assessable parcels	\$9.96
Industrial – assessable parcels	\$9.96
REGIONAL ASSESSMENTS – VALLEY REGION (unincorporated area)	

Vacant – Assessable parcels	\$1.00
Residential	
Single Family Dwelling	\$5.32
5-14 units	\$5.32
15-80 units	\$7.64
81 units and over	\$9.96
Commercial – assessable parcels	\$9.96
Industrial – assessable parcels	\$9.96
REGIONAL ASSESSMENTS – MOUNTAIN REGION (excludes the City of Big Bear Lake)	
Assessable parcels	\$2.00
DESERT REGION (Unincorporated area excludes the Cities of Adelanto, Apple Valley, Barstow, Hesperia, Twentynine Palms, Victorville, and Yucca Valley)	
Assessable parcels	\$2.00
COLORADO RIVER REGION (excluding the City of Needles)	
Vacant – Assessable parcels	\$1.00
Residential	
Single Family Dwelling	\$8.32
5-14 units	\$8.32
15-80 units	\$10.64
81 units and over	\$12.96
Commercial – assessable parcels	\$12.96
Industrial – assessable parcels	\$12.96

In essence, the entire County, except the area of WVMVCD in the southernmost tip of the County, is capable of being served through the County's Vector Control Program through the Division of Environmental Health Services. The County Vector Control Program offers its services to other public agencies and entities through individual contracts.

WVMVCD was formed in 1983 (LAFCO 2223) by a vote of the registered voters within the boundaries of the proposed district. This territory included the City of Chino and its sphere of influence, a portion of the Cities of Montclair and Ontario and their sphere of influence, and the unincorporated areas of Chino

Hills and the Chino-Ontario Agricultural Preserve. The five-member Board of Trustees appointed to govern this agency was selected by the three cities and the County for the unincorporated areas. The corporate boundaries of this agency have remained unchanged since the time of its formation.

The services offered by the agency were expanded in 1985 and are now identified as including, but not limited to, monitoring and control of mosquito and fly populations, removal of Africanized honey bees and stinging wasps, trapping and removal of animals that are poisonous and may harbor disease, and public outreach activities to raise public awareness of the association of vectors and vector-borne diseases. The District funds its services to the residents within its boundaries through a benefit assessment implemented at the time the District was formed.

In 1989 the District entered into a contract with the City of Rancho Cucamonga to provide its services within the boundaries of the City. The City agreed to pay the District, from its general source of revenue, a lump sum per year for that service. Thereafter, in 2000 the City of Ontario opted out of its contractual relationship with the County Vector Control program and contracted with the District for their service to the balance of that City, and agreed to fund this level of service from its general fund. In 2003, the City of Montclair entered into a contract with the District to serve the balance of its corporate area as well and to fund the service provision from general fund revenues.

In reference to the factors and findings required for a service review, the District has submitted a comprehensive response, which is summarized as follows:

1. The WVMVCD is proposing a sphere of influence amendment to include the areas in which it provides its services currently through a contractual relationship. This area includes the balance of the City of Montclair and its sphere, that portion of the City of Ontario that is not currently a part of the District, and the area of the City of Rancho Cucamonga and its unincorporated sphere of influence. Approval of the sphere of influence expansion will acknowledge the contractual relationships for this service, in existence for a number of years, and allow for contract updates, etc.
2. When the District was formed in 1983, it became one of fifty-two such special districts within the State to perform this specialized function. Cities typically do not have this specialized service available from within their existing staff and, if such service is desired, turn to a district or

county for provision. The funding of the district within its boundaries is provided by an assessment levied on each parcel of property within two zones. Zone A rates are set at \$10.25 for single family residence and \$17 for commercial and industrial properties. This area is defined as being bounded by Mission Blvd. on the north, Palmetto Avenue on the east, Phillips Blvd. on the south, and the county line on the west. Zone B rates are set at \$18 for single family residence and \$30 for commercial and industrial parcels. Zone B includes the balance of the District's territory. The contracting entities fund their services by a negotiated payment for a specified level of service, which is typically a lump sum from their general resources.

The information outlined above provides a general description of the regional vector control services within San Bernardino County. This service has been accommodated through either the County-sponsored Vector Control Program or within its jurisdiction, the WVMVCD.

FACTORS OF CONSIDERATION:

Attachment #3 to this report includes a copy of the District's application and its response to the factors required by Government Code Section 56430 for the conduct of service reviews for Commission review. The factors of consideration and the required service review findings are included within the draft LAFCO Resolution No. 2792 which is attached for Commission review. Pursuant to the requirements of Government Code Section 56425, every sphere of influence review is required to consider four factors of consideration. These are also included in LAFCO Resolution No. 2792 and summarized as follows:

1. The present and planned land uses in the area, including agricultural and open-space lands:

The area included within the existing sphere of influence and the proposed expansion includes vast areas of urban, suburban and rural land uses. The area currently included within the boundaries of the District and the proposed expansion includes a rapidly urbanizing area of the County. This transition from an agricultural-based area to an urbanized one increases the threat of existing and new vector-borne diseases and of nuisance vectors. The services provided by the WVMVCD are not development related; therefore, they have no direct impact on the present or planned land uses; the land uses have a direct impact the service needs of the District.

2. The present and probable need for public facilities and services in the area:

Within the proposed sphere of influence expansion, only limited vector control services are provided through agreement between the respective city governments and the WVMVCD. As these areas develop, transitioning from their agricultural past to urbanization, the threat of existing and new vector-borne diseases increases. An enhanced mosquito and vector control program is needed to protect the health and safety of the current and future residents of the area.

3. The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide:

Within its boundaries, the WVMVCD provides high levels of mosquito and vector control services to its constituents. With sphere of influence expansion, planning can commence for the expansion of facilities to provide this level of service to a broader area.

4. The existence of any social or economic communities of interest in the area.

The sphere of influence expansion would include the balance of the City of Montclair and its sphere of influence, and the balance of the City of Ontario within the planning jurisdiction of the District and provide for a comprehensive planning unit. The inclusion of the City of Rancho Cucamonga and its sphere of influence will allow for the District to plan for the community of Rancho Cucamonga as currently identified by the Commission and provide the City with representation on the Board of Trustees.

Support for the sphere of influence expansion has been received from the cities of Montclair, Ontario and Rancho Cucamonga (copies included as Attachment #4). The County Vector Control Program has indicated that it has no concern with the sphere of influence expansion into areas not a part of its program.

CONCLUSION:

Based on the information outlined above and the response from the WVMVCD, staff recommends that the Commission expand the sphere of influence for the District to include the areas of the City of Rancho Cucamonga and its sphere of influence, the balance of the City of Montclair and its sphere of influence, and the balance of the City of Ontario. This sphere expansion will recognize the

current contractual relationships of the District and allow for future planning to take place for service delivery. The District has initiated a proposal for annexation. LAFCO 2947 represents an annexation request submitted by the District for the majority of the territory identified in this sphere consideration. No date for Commission review of this application has been identified at this time.

Staff also wishes to commend the West Valley Mosquito and Vector Control District for its diligent work to provide the information necessary for a full service review and sphere study for this area.

Attachments:

1. Maps of the District's proposed Sphere of Influence Expansion for the West Valley Mosquito and Vector Control District
2. Outline of a Mosquito and Vector Control District
3. Application, District Profile Sheet, and Survey Response from the West Valley Mosquito and Vector Control District
4. Responses from the Cities of Montclair, Ontario and Rancho Cucamonga
5. Response from Tom Dodson and Associates
6. Draft Resolution #2792